



CRL OP(MD). No.6174 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/06/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.6174 of 2024

1. Prakash,

2.Makesan

... Petitioners/ Accused Nos.2 & 3

Vs

The Inspector of Police,
Ammamet Police Station
Thanjavur District.
(Crime No.341/2024)..

... Respondent/Complainant

For Petitioners : Mr.Ak.Azagar Sami,Advocate.

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

PRAYER :-

For Anticipatory Bail in Crime No.341/2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners, apprehending arrest at the hands of the respondent police in



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connection with the case in Crime No.341 of 2024 for the offence under Sections 4(1) (a), 4(1-A) of Tamil Nadu Prohibition Act, have filed this petition, seeking anticipatory bail.

2. The case of the prosecution is that the petitioners were in possession of five gunny bags containing 240 brandy bottles of 180 ml, without valid license.

3. The learned counsel appearing for the petitioners submits that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. To show their bonafide in this case and also in Crl.O.P.(MD)No.6166 of 2024 (Crime No.342 of 2024), the petitioners have paid a sum of Rs.50,000/- to the Chief Educational Officer, Thanjavur District.

4. The learned Government Advocate (Crl. Side) appearing for the respondent submits that the investigation is yet to be completed.

5. Considering the facts and circumstances of the case and also considering the nature of offence, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or on their appearance within a period of fifteen days from the date of receipt of a copy of this order, before the concerned learned Judicial Magistrate, on condition that

(i) the petitioners execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five



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Thousand), each with two sureties each, for a like sum to the satisfaction of the learned Judicial Magistrate, Papanasam, Thanjavur;

(ii) The petitioners and the sureties shall submit a copy of their Aadhaar Card or any other identity card issued by the Government in proof of their residence address;

(iii) The petitioners shall appear before the respondent police daily at 10.30 am for a period of two weeks and thereafter shall appear as and when required by the respondent police. They have to co-operate for the investigation.

(iv) The petitioners shall not misuse the liberty granted to him by indulging in any further offence and shall not tamper with the prosecution witnesses.

(v) On violation of any of the above conditions by the petitioner, the respondent police shall move an application for cancellation of the anticipatory bail.

sd/-
12/06/2024

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/06/2024
Sub-Assistant Registrar
(C.S.I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LS



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TO
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- 1 THE JUDICIAL MAGISTRATE,PAPANASAM, THANJAVUR.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT @ KUMBAKONAM.
- 3 THE INSPECTOR OF POLICE
AMMAPET POLICE STATION THANJAVUR DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN

CRL OP(MD) No.6174 of 2024

Date :12/06/2024

PKP/GS/SAR /24.06.2024/ 4P/ 5C

Madurai Bench of Madras High Court is issuing certified
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